Separate files on this & 11/13 stories

Dr. James B. Rhoads, Archivist
The National Archives
Washington, D.C.

Rt. 12, Frederick, Md. 21701
11/26/76

Dear Dr. Rhoads, FOIA request or appeal

In our previous correspondence I have made repeated complaints about discrimination against me in denying me what is given to others and about your blind compliance with unreasonable and entirely unnecessary requests of other agencies that you withhold what is public information when as head of the inter-agency committee you are the outstanding expert in the government and know better. I have also complained, repeatedly, about your politicizing your Post. The Ron Kessler story in today's Post is a good illustration of the validity of my complaints

This is an angled, inaccurate and to my knowledge in some respects a deliberately dishonest story. It has obvious political objectives of the executive agencies in it.

It deals with the CIA's electronic surveillance in Mexico just before the JFK assassination. It also reports that you have records on this you are withholding.

There has not been any question of either national security or confidential sources for more than a year because the fact of this surveillance has been public more than that long. It is also of an earlier period but with less specifity in E. Howard Hunt's book on his career. I believe it is in Agee's. Both report what since then is not secret, that local authorities cooperated with the CIA in these endeavors.

I do not have a clear recollection about whether I made an FOIA request of you for such records. I am without doubt that I made duplicating requests of the CIA for it, one more inclusive and one more restricted to avoid the customary stonewalling that is always described as something else. When I filed the separate request for all surveillance only the CIA noted the duplication and I explained this as above.

Of course I've not had time to read the voluminous 1975 release some of which actually ran well into this year. It has taken you several months to do just the copying, as I've already noted to you personally. Others have. I have their notes. Nothing of this nature or description is included.

The Post's story is specific in saying that you inherited this material when you became the successor to the Warren Commission. It dates one transcript. I am asking why this was not released prior to and during the 1975 review and releases. I am also asking for all records dealing with any effort to release it or to prohibit its release and for the Commission identification. As you know those in the so-called basic list are utterly and deliberately meaningless. I am also asking, if I have not in the past, for all records of any kind or source dealing with or in any way relating to any and all intercepts of communications to, from or relating to Lee Harvey Oswald and and any all records of any kind dealing with or relating to surveillances of any kind by anyone, anywhere and at any time. If I have already made this request and have not appealed its rejection I do herewith.

I do it through you because you supposedly run the Archives, you are the head of the inter-agency committee on declassification and you have blindly, even irrationally, followed the requests of those whose improper withholdings of public information the FOIA was enacted to end.

While I do not believe the intra- and inter-agency exemption is applicable, I note in the event you try to invoke it that you have waived it on this subject and with regard to the CIA many times. You have, I believe, thereby waived any legitimate claim to the exemption. So has the CIA. So also has it with its leaks.

Sincerely,

Harold Weisberg